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4 BILL NO. S-74-07-23 (AS AMENDED)

5 SPECIAL ORDINANCE NO. S-101-74

6 AN ORDINANCE ratifying, confirming and approving  
7 Agreement with the Board of County Commissioners  
8 of Allen County, Indiana for conveyance of real  
9 estate to the City of Fort Wayne, Indiana and  
10 authorizing the execution and Delivery of a  
Deed of Conveyance From Said City to The  
Housing Authority of the City of Fort Wayne.

11 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
12 WAYNE, INDIANA:

13 SECTION 1. The agreement to convey real estate between the City  
14 of Fort Wayne, Indiana and the Board of County Commissioners of Allen County,  
15 Indiana for the conveyance of the following described real estate to the City of  
Fort Wayne, Indiana for the use and benefit of the Housing Authority of the City  
of Fort Wayne, Indiana:

16 Lot No. 330 Hanna's Addition to the  
17 City of Fort Wayne, Allen County,  
Indiana

18 all as more particularly set forth in said agreement to convey real estate to the  
19 City of Fort Wayne, Indiana, and is by reference incorporated herein and made  
20 a part hereof, is in all things hereby ratified, confirmed and approved. Burns  
21 Statute Annotated Sections 26-1017 and 26-1018 authorizes and provides the pro-  
cedure for conveyance of said land to the City of Fort Wayne, Indiana.

22 SECTION 2. Be it further ordained that the City of Fort Wayne,  
23 Indiana is authorized by its Mayor and City Clerk to execute and deliver a  
24 Deed conveying said herein described real estate to The Fort Wayne  
Housing Authority.

25 SECTION 3. This Ordinance shall be in full force and effect from  
and after its passage and approval by the Mayor.

26 John Nuckols  
27 Councilman  
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Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by Huckel, seconded by V. Schmidt, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARIGO	<u>X</u>	_____	_____	_____

DATE: 7-9-74

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (<sup>Special</sup> (Appropriation) Ordinance (Resolution) No. 2-101-74 23-24 on the 9th day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 4:00 o'clock A M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P M., E.S.T.

Samuel J. Talarico  
MAYOR

SUSPENSION OF RULES

BILL NO. B-74-07-23.

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. B-74-07-23, at this meeting of July 9, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special Ordinance ORDINANCE was accordingly placed on its passage.

DATE: 7-9-74

Samuel J. Talarico Charles W. Westerman  
PRESIDING OFFICER CITY CLERK

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>KRAUS</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>D. SCHMIDT</u>	<u>X</u>	_____	_____	_____	_____
<u>V. SCHMIDT</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as A-121-74

ATTEST:

(SEAL)

DATE: 7-9-74

Charles W. Westerman  
CITY CLERK

1  
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4 BILL NO. G-74-07-23 (as amended).

5 <sup>Revised</sup>  
6 GENERAL ORDINANCE NO. G-<sup>101</sup>~~23~~-74

7 AN ORDINANCE ratifying, confirming and approving  
8 an Agreement with the Board of County Commissioners  
9 of Allen County, Indiana for conveyance of real  
10 estate to the City of Fort Wayne, Indiana

11 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
12 WAYNE, INDIANA:

13 SECTION 1. The agreement to convey real estate between the City  
14 of Fort Wayne, Indiana and the Board of County Commissioners of Allen County,  
15 Indiana for the conveyance of the following described real estate to the City of  
16 Fort Wayne, Indiana for the use and benefit of the Housing Authority of the City  
17 of Fort Wayne, Indiana:

18 Lot No. 330 Hanna's Addition to the  
19 City of Fort Wayne, Allen County,  
20 Indiana

21 all as more particularly set forth in said agreement to convey real estate to the  
22 City of Fort Wayne, Indiana, and is by reference incorporated herein and made  
23 a part hereof, is in all things hereby ratified, confirmed and approved. Burns  
24 Statute Annotated Sections 26-1017 and 26-1018 authorizes and provides the pro-  
25 cedure for conveyance of said land to the City of Fort Wayne, Indiana.

26 SECTION 2. This Ordinance shall be in full force and effect from and  
27 after its passage, <sup>and</sup> approval by the Mayor, ~~and by publication thereof.~~

28   
29 Councilman

30  
31 APPROVED AS TO FORM  
32 AND LEGALITY.

33   
34 CITY ATTORNEY  
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COMMISSIONER'S DEED

WHEREAS, on the 18th day of December, 1972, the Board of Commissioners of Allen County, Indiana, entered into an agreement with the Board of Works of the City of Fort Wayne, Allen County, Indiana, whereby said Board of Commissioners ascertained that the following described real estate, to-wit:

Lot No. 330 Hanna's Addition to the City  
of Fort Wayne, Allen County, Indiana,

was not then, nor would be in the foreseeable future, required or satisfactory for the County's business or recreational purposes and that said Board of Commissioners desired to sell all said Board's right, title and interest in said property, said agreement to convey real estate being recorded in the office of the Auditor of Allen County in Commissioners Minute Book 40, page 241, and

WHEREAS, the records in the Auditor's office of Allen County, Indiana, reflect that the notice that the County Council of Allen County, Indiana, would on the 27th day of February, 1973, convene to consider an Ordinance fixing the terms and conditions of a sale to consummate said above-mentioned agreement to convey real estate, was published once (1) in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel newspapers, newspapers of general circulation of opposite political views in Allen County, Indiana, on the 16th day of February, 1973, said notice being recorded in County Council Book 7, page 1, and

WHEREAS, the County Council of Allen County, Indiana, on the 27th day of February, 1973, did consider and enact an

Ordinance whereby said Council ordered the Board of Commissioners of Allen County, Indiana, to sell all its right, title and interest in the above-described real estate to the City of Fort Wayne, Indiana, for park purposes, for the amount of One Dollar (\$1.00); all as recorded in the office of the Auditor of Allen County, in County Council Book 7, page 3, and

WHEREAS, on the 11th day of April, 1974, said date being more than ten (10) days prior to the consideration thereof, there was published in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel Newspapers, newspapers of general circulation and opposite political views published in said City, a notice that the Common Council of said City would consider an Ordinance that would ratify and confirm the terms and conditions of the purchase by said City as specified in that certain above-mentioned agreement to convey real estate, as said notice is recorded in the office of the Clerk of the City of Fort Wayne, Indiana in General Ordinance Book 18, page 599, and

WHEREAS, the Common Council of the City of Fort Wayne, Allen County, Indiana, did, by special ordinance S-56-74, said ordinance being duly presented and enacted, confirm and ratify, on the 23rd day of April, 1974, the terms and conditions of that certain agreement to convey real estate between the Board of Works of the City of Fort Wayne and the Board of Commissioners of Allen County, as recorded in the office of the Clerk of the City of Fort Wayne, Indiana, in General Ordinance Book 18, page \_\_\_\_;

THEREFORE, THIS INDENTURE WITNESSETH that ALLEN COUNTY, STATE OF INDIANA, by the Board of Commissioners of Allen County,



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or require not more  
than 10000 of each

PRESS

BILL NO. 8-74-07-23

Special

GENERAL ORDINANCE NO. G-

AN ORDINANCE ratifying, confirming and approving  
an Agreement with the Board of County Commissioners  
of Allen County, Indiana for conveyance of real  
estate to the City of Fort Wayne, Indiana

*and authorizing the  
execution and delivery of the deed of conveyance from said  
City to the Housing Authority of the City of Fort Wayne*

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT

WAYNE, INDIANA:

SECTION 1. The agreement to convey real estate between the City  
of Fort Wayne, Indiana and the Board of County Commissioners of Allen County,  
Indiana for the conveyance of the following described real estate to the City of  
Fort Wayne, Indiana for the use and benefit of the Housing Authority of the City  
of Fort Wayne, Indiana:

Lot No. 330 Hanna's Addition to the  
City of Fort Wayne, Allen County,  
Indiana

all as more particularly set forth in said agreement to convey real estate to the  
City of Fort Wayne, Indiana, and is by reference incorporated herein and made  
a part hereof, is in all things hereby ratified, confirmed and approved. Burns  
Statute Annotated Sections 26-1017 and 26-1018 authorizes and provides the pro-  
cedure for conveyance of said land to the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and  
after its passage, approval by the Mayor and legal publication thereof.

Councilman



COMMON COUNCIL  
PRIOR APPROVAL

Tuesday, September 5, 1972  
Common Council in Committee Session  
Fort Wayne, Indiana

To Fort Wayne Housing Authority:

REGARDING: GIFT OF REAL ESTATE TO FORT  
WAYNE HOUSING AUTHORITY

Please be advised that the City of Fort Wayne, Indiana will give and convey to the Fort Wayne Housing Authority Lot #330 in Hanna's Addition to the City of Fort Wayne upon conveyance of said property from Allen County, Indiana, to the City of Fort Wayne.

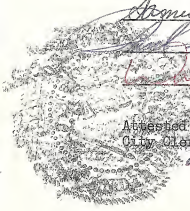
Burns Statute annotated 26-2027 and 26-2028, sets forth procedure for such conveyance to city.

It is apparent that above procedural requirements will prevent such conveyance until the first week of October, 1972.

This prior approval is evidence of City of Fort Wayne's intent to give and convey when it gets title to above real estate.

Respectfully submitted,

Common Council  
City of Fort Wayne

  
John Nichols  
William T. King  
Armand J. Salas  
James J. Burns  
Lowell H. Moore Jr.

James J. Burns  
D. J. Schmidt  
Vivian L. Schmidt  
Eugene H. Housh

Attested by  
City Clerk

Charles W. Wiestman  
9/26/72

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

Room 200, City-County Building

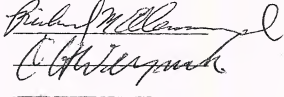
Fort Wayne, Indiana 46802

Charles H. Weyrick, Richard M. Ellenwood, Charles N. Hoemig

DECEMBER 20, 1972

COMES NOW THE BOARD OF COMMISSIONERS OF THE  
COUNTY OF ALLEN AND APPROVES THE AGREEMENT  
WITH THE CITY OF FORT WAYNE TO CONVEY LOT  
330, HANNAS ADDITION TO THE CITY OF FORT  
WAYNE, TO THE CITY OF FORT WAYNE.

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN



RME/eb

from the desk of --

RICHARD M. ELLENWOOD

Rev 1/4/73

January 3, 1973

To: Dr. Petro:

We are enclosing herewith the document we discussed concerning Lot 330, Hannas Addition.

If you have any question concerning Deed, etc., you might contact our County Attorney Mr. Harry Scott at 743-9706.

Sincerely yours,

*Richard M. Ellenwood*  
eb

Richard M. Ellenwood

eb

Enclosure

6/19.

DAK - Judy

Please sign this  
Warrantly Deed which  
is in accordance to  
the Council's prior  
approval. I can't act on it  
prior approval. I.  
w/ Blume J.Y.  
J.

6/20

Id L —

Doc Blume thinks that there is enough implied authority in this approval by Council, and is also legal, for you to go ahead and act on it; unless in your relationship with Council, you would want to make up an ordinance. It would delay the process but he says it's your decision whether you want one or not.

J.

DIGEST SHEETTITLE OF ORDINANCE GENERAL2-74-07-23DEPARTMENT REQUESTING ORDINANCE HOUSING AUTHORITYSYNOPSIS OF ORDINANCE Ratifying, confirming and approving an agreement withthe Board of Commissioners of Allen County for the conveyance of certain realestate to be used by the Housing Authority in the construction of homes forthe elderlyEFFECT OF PASSAGE Housing Authority will have the real estate necessary forthe construction of dwellings for the elderlyEFFECT OF NON-PASSAGE MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) To be reimbursed by HUDASSIGNED TO COMMITTEE (PRESIDENT) Regulations

DIGEST SHEET

TITLE OF ORDINANCE GENERAL

DEPARTMENT REQUESTING ORDINANCE HOUSING AUTHORITY

SYNOPSIS OF ORDINANCE Ratifying, confirming and approving an agreement with

the Board of Commissioners of Allen County for the conveyance of certain real

estate to be used by the Housing Authority in the construction of homes for

the elderly

EFFECT OF PASSAGE Housing Authority will have the real estate necessary for

the construction of dwellings for the elderly

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) To be reimbursed by HUD

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_